IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark S. Boddy et al.

Title: AUTOMATED FINITE CAPACITY SCHEDULER

Docket No.:   H16-17367 (256.029US1)   Serial No.: 09/188,399
Filed: November 6, 1998   Due Date: December 11, 2001
Examiner: Steven R Garland   Group Art Unit: 2121

Commissioner for Patents
Washington, D.C. 20231

We are transmitting herewith the following attached items (as indicated with an "X"):

X   A return postcard.
X   An Amendment and Response (11 Pages).
X   Clean Version of Pending Claims (5 pgs.).

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.   By: _____
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                                                         Reg. No. 44,639

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this 11th day of December, 2001.

Kandi Lortie   _____
_____   Signature
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(GENERAL)

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AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

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       Applicant has reviewed the Office Action mailed on September 11, 2001. Please amend the above-identified patent application as follows.

IN THE CLAIMS

       Please substitute the claim set in the appendix entitled Clean Version of Pending Claims for the previously pending claim set. The substitute claim set is intended to reflect cancellation of claims 20-26, 30 and 31, and no amendment or addition of claims. The specific amendments to individual claims are detailed in the following marked up set of claims.

1.   A method of scheduling tasks comprising:

creating a list of activities required to accomplish the tasks;

modifying selected activities into sets of smaller activities; and

scheduling the activities and smaller activities based on discrete and continuous constraints.

2.   The method of claim 1 wherein modifying selected activities is performed as a function of integrated implications of the discrete and continuous constraints.

3.   The method of claim 1 wherein modifying selected activities comprises determining if an activity is larger than a predetermined threshold.

4.   The method of claim 1 wherein modifying selected activities comprises determining if an activity occurs slower than a predetermined threshold.